WPSS NO. 275 OF 2006

Hon'ble J.C.S. Rawat, J.

It was pointed out by Sri B.M. Pingal, learned counsel for the petitioners that the petitioner Nos. 3, 5 and 6 have not completed 10 years whereas other petitioners have completed ten years of service. It was further pointed out that the State of Uttaranchal has framed the rules under Article 309 of the Constitution of India to regularize those employees who were continuously on service on the date of enforcement of Rule since 1998. learned counsel for the petitioners pointed out that he would like to make representation before the competent authority to seek his regularization. In case, the authority would not regularize the services of the petitioners, they would like to file the petition before the court.

It was further submitted that the Hon'ble Apex Court in **Secretary, State of Karnataka Vs. Umadevi 2006 AIR SCW p/1991** has held in para 44 that the Government should take steps to regularize as a one-time measure, the services of such irregularly appointed, who have worked for ten years of more in duly sanctioned posts and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that requires to be filled up, in cases where temporary employees or daily wagers are being now employed. The Apex Court has also held that the process must be set in motion within six month.

In view of the above observations made by the Hon'ble Apex Court, the learned counsel for the petitioner(s) wants to withdraw the petition with liberty to make representation before the appropriate authority.

Therefore, the petition is dismissed as withdrawn with liberty to make representation before the appropriate authority.

Interim order dated 04.03.2006 is hereby vacated.

(**J.C.S. Rawat, J.)**

Dt. : 28.11.2006

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